

1 **ARKANSAS PROFESSIONAL BAIL BOND COMPANY AND PROFESSIONAL**
2 **BAIL BONDSMAN LICENSING BOARD**

3 **August 11, 2006**

4
5 Vice-Chairman Sturgeon called the meeting to order at 9:00 a.m.

6
7 Roll call was taken. The following members were present: Frank Sturgeon, Marc Oudin, Eugene
8 Reynolds and Phyllis Carruth. Lynn Williams, Don Smith, and Rex Morris were absent. Also
9 present were board counsel, Assistant Attorney General Nancy Pryor, and Hearing Officer,
10 Assistant Attorney General Ashley Fisher; Executive Director, Tommy Reed; Board staff and
11 members of the audience.

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13 Following a review of the Board Minutes for July 14, 2006 Mr. Oudin moved to approve the
14 minutes as presented. Mr. Reynolds seconded. The motion carried.

15
16 **OLD BUSINESS**

17
18 **Transfers/Suspensions/Reinstatements:**

19 A report was provided for information purposes: Six (6) transfer requests were submitted and
20 granted during the month. One (1) agent was re-instated pursuant to satisfaction of terms of
21 suspension order; contingent on fulfillment of additional conditions. There were three (3) agent
22 suspensions pursuant to notice from the company.

23
24 **Forfeitures - Open:**

25 The Open Forfeiture Report was presented. The chair invited comments or discussion. Ms.
26 Carruth inquired regarding whether Darrick Handy had kept his agreement with Mr. Reynolds.
27 Mr. Reynolds reported he continued to pay forfeitures related to Darrick Handy and that Mr.
28 Handy had made no payments pursuant to their agreement. The Chairman called for motions. Mr.
29 Oudin moved to suspend those licensees whose forfeitures were not timely paid between August
30 11, 2006 and the September 8, 2006 regular board meeting. Mr. Reynolds seconded. The motion
31 carried.

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33 **Past Due Forfeitures:**

34 The Past Due Forfeiture Report was presented for review. The Chair invited comment or
35 discussion. There were no comments or discussion and the Board proceeded.

36
37 **Re: Handy v. Board, et al, Pulaski Cir., 7th Div., CV2006-007797**

38 Mr. Reed advised a Petition For Review and a Petition For Injunctive Relief had been filed
39 seeking both the temporary and permanent reinstatement of Mr. Handy's license. Asst. Atty.
40 General, Nancy Pryor, reviewed the matter, advised of legal actions to oppose the request for
41 reinstatement and to have the individual board members and executive director dismissed as
42 plaintiffs and answered questions regarding the litigation.

43
44 **Re: Holt Bonding Company, Inc.**

45 Mr. Reed advised that more than ninety (90) days had passed since the company was given
46 statutory notice it must post additional security deposits and provide proof of satisfaction of
47 judgments presented within ninety (90) days or the license would be cancelled. Mr. Oudin moved
48 that the license be cancelled pursuant to statute. Ms. Carruth seconded. The Chair called for
49 comments. After discussion, the motion was put to a vote and carried unanimously.

1 **Re: Bills Bail Bonds, Inc.**

2 Mr. Reed noted that more than ninety (90) days had passed since the company was given
3 statutory notice it must post additional security deposits and provide proof of satisfaction of
4 judgments presented within ninety (90) days or the license would be cancelled. Mr. Oudin moved
5 that the license be cancelled pursuant to statute. Ms. Carruth seconded. The Chair called for
6 comments and/or discussion. The matter was put to a vote and carried unanimously.
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8
9 **NEW BUSINESS**

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11 **July Vouchers Paid**

12 A report of payments made in July was provided for information purposes. Vice-Chairman
13 Sturgeon invited questions and/or discussion. There were no comments or discussion and the
14 Board proceeded.
15

16 **License Approvals**

17 Five (5) bondsman applications were submitted for approval and two (2) were submitted for
18 tentative approval. Mr. Oudin moved to approve the applications, including those tentatively
19 submitted pending receipt and approval of necessary documentation. Mr. Reynolds seconded. The
20 Chair called for discussion or comments; hearing none, the motion was put to a vote. The motion
21 carried with none opposed.
22

23 **Biennial Budget Request**

24 The biennial budget requests were reviewed by the Board. Mr. Reed noted (1) increases of
25 \$18,000 for development of an integrated database and website functionality for reporting,
26 licensing and other informational purposes; (2) an increase from \$100,000 to \$500,000 in the un-
27 funded, line-item appropriation used to issue payments from security deposits of defunct
28 companies to courts on judgments presented; and (3) an increase of \$1,000 for fuel related to
29 increased expense of operating two vehicles and increases in fuel costs.
30

31 **Quarterly Reports**

32 The Board reviewed the company quarterly report for the first two quarters of 2006. The Vice-
33 Chairman invited comments or discussion. There were no comments or discussion and the Board
34 proceeded.
35

36 **Re: 2007 Legislative Agenda**

37 Mr. Reed asked if there were specific legislative initiatives the Board wished to pursue and
38 provided a list of five items for consideration. After discussion of those and other items, Mr.
39 Oudin moved that a committee be formed to review, and recommend specific legislative items.
40 Ms. Carruth seconded. After discussion the committee members were determined as follows:
41 Executive Director, Mark Oudin, Eugene Reynolds, Tom Nickolich, and Gary Edwards. It was
42 determined the Executive would vote in case of ties. The motion carried.
43

44 **Re: Revision of Bail Bondsman Test**

45 The Board considered whether the current bondsman examination should be reviewed. Mr. Oudin
46 moved the executive director make changes he felt necessary and submit a draft for review and
47 approval. Ms. Carruth seconded. After discussion, the motion was put to a vote and carried
48 unanimously.
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1 **Public Comments:**

2 Vice-Chairman Sturgeon opened the floor for public comments. There were no comments or
3 discussion and the Chair turned the floor to the hearing officer, Asst Atty General Ashley Fisher,
4 to conduct the scheduled hearing.

5
6 **Hearings**

7
8 **APPBLB #06-039**
9 **Board v. Michael McLawhorn**

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12 At the conclusion of the hearings, the Board resumed its business and the meeting was adjourned.

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14 Submitted for approval: This 8th day of September, 2006, _____
15 Chairman Don Smith